

Amendment filed June 27, 2005  
Response to OA mailed 03/29/05

U.S.S.N. 10/782,093  
011398.00005

### **REMARKS**

Claims 1-35 are pending. Claims 1-35 are rejected. The Applicant is canceling claims 32 and 35 with this paper.

The Applicant thanks the Examiner for withdrawing the objections to the Abstract.

While the Office Action has not provided any arguments that claims 11-16 are unpatentable over Teich in view of Hesse, independent claim 11 includes similar features as claims 1 and 6.

#### **Double Patenting**

Claims 1 and 6 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 6,714,136 in view of U.S. Patent No. 4,850,040 (Teich).

The Applicant is filing a terminal disclaimer in compliance with 37 U.S.C. 1.321(c) to overcome the nonstatutory double patent rejection with commonly owned U.S. Patent No. 6,714,136. The Applicant requests reconsideration of claims 1 and 6.

Claim 11 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 6,714,136 in view of U.S. Patent No. 4,850,040 (Teich).

As discussed above, the Applicant is filing a terminal disclaimer to overcome the nonstatutory double patent rejection with commonly owned U.S. Patent No. 6,714,136. The Applicant requests reconsideration of claim 11.

Claims 2, 5, 7, 10, and 12 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 6,714,136 in view of U.S. Patent No. 4,850,040 (Teich) and further in view of U.S. Patent No. 5,995,455 (Kutosky).

Amendment filed June 27, 2005  
Response to OA mailed 03/29/05

U.S.S.N. 10/782,093  
011398.00005

As discussed above, the Applicant is filing a terminal disclaimer to overcome the nonstatutory double patent rejection with commonly owned U.S. Patent No. 6,714,136. The Applicant requests reconsideration of claims 2, 5, 7, 10, and 12.

Claims 3-4, 8-9, and 13-16 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 6,714,136 in view of U.S. Patent No. 4,850,040 (Teich) and further in view of U.S. Patent No. 6,223,348 (Hayes).

As discussed above, the Applicant is filing a terminal disclaimer to overcome the nonstatutory double patent rejection with commonly owned U.S. Patent No. 6,714,136. The Applicant requests reconsideration of claims 3-4, 8-9, and 13-16.

#### Rejections under 35 U.S.C. 103(a)

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,850,040 (Teich) in view of U.S. Patent No. 5,287,109 (Hesse).

Regarding claim 1, the claim includes the feature of "clock setup circuitry, alarm setup and activation circuitry coupled to the microprocessor for setting the clock, setting the alarm, and activating a plurality of remote devices" and "a programmable universal infrared remote device control, coupled to the alarm clock circuitry, for remote programming the plurality of remote devices, and having activation circuitry for activating the plurality of remote devices. (Emphasis added.) Teich, as cited by the Office Action, merely teaches (Column 6, lines 12-20. Emphasis added.):

It will be recalled that each transmitted code consists of five bits (32 possible codes). In the illustrative system, there are at most eight remote devices which must be controlled; eight codes are used to toggle respective devices on and off. Another eight are used as a master reset, any one of them turning all eight devices off. The remaining sixteen codes are used for controlling the heating/cooling (HVAC) in the room. (Different coding altogether is required for controlling the TV, and it varies from manufacturer to manufacturer.)

This teaching teaches controlling only one device, where a code corresponds to the one device and not a plurality of devices.

Amendment filed June 27, 2005  
Response to OA mailed 03/29/05

U.S.S.N. 10/782,093  
011398.00005

Similarly, independent claim 6 includes the features of "clock setup circuitry, alarm setup and activation circuitry coupled to the microprocessor for setting the clock, setting the alarm, and activating a plurality of remote devices" and "a programmable universal infrared remote device control, coupled to the alarm clock circuitry, for remote programming the plurality of remote devices, and having activation circuitry for activating the plurality of remote devices." Claims 2-5 and 7-10 depend from claims 1 and 6, respectively, and are patentable for at least the above reasons. Thus, the Applicant requests reconsideration of claims 1-10.

While the Office Action has not provided any arguments that independent claim 11 is unpatentable over Teich in view of Hesse, claim 11 includes features similar to claim 1. For example, claim 11 includes the feature of "the microprocessor/microcontroller, and alarm setup and activation circuitry coupled to the remote controller alarm triggering unit for setting the alarm, and activating a plurality of remote devices". Claims 12-13 and 16 depend from claim 11.

Claims 11-31, 33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,850,040 (Teich) in view of U.S. Patent No. 5,995,455 (Kutosky) and further in view of U.S. Patent No. 6,633,281.

Regarding claim 11, the Office Action has not provided any suggestions that the combination of Teich and Hesse even suggest the features of "a microprocessor/microcontroller, coupled to alarm activation circuitry, a remote controller alarm triggering unit, an alarm, a display, and a plurality of input ports and output ports, for providing central control", "a speaker, coupled to the microprocessor/microcontroller, for outputting selected audio", and "the microprocessor/microcontroller, and alarm setup and activation circuitry coupled to the remote controller alarm triggering unit for setting the alarm, and activating a plurality of remote devices." Thus, the Office Action has not established a *prima facie* case of obviousness. Moreover, claims 12-13 and 16 depend from claim 11 and are patentable for at least the above reasons. Claim 14 depends from claim 1, and claim 15 depends from claim 6. Claims 1 and 15 are patentable for at least the above reasons. The Applicant is requesting reconsideration of claims 11-16.

Regarding independent claim 17, the Applicant is amending the claim to include "a plurality of switches", a processor module that is configured to perform "selecting a remote

Amendment filed June 27, 2005  
Response to OA mailed 03/29/05

U.S.S.N. 10/782,093  
011398.00005

device setup mode from a first combination of switches from the plurality of switches" and "selecting a first remote device from a second combination of switches from the plurality of switches when the remote device setup mode is selected in response to (a)", and "a device status indicator that indicates each remote device being activated." The amendment is supported by the specification as originally filed (e.g., paragraphs 20-21 and 27). The combination of Teich, Kutosky, and Lin fails to even suggest these features.

Independent claim 27 includes similar features of "selecting a remote device setup mode from a first combination of switches from a plurality of switches", "selecting a first remote device from a second combination of switches from the plurality of switches when the remote device setup mode is selected", and "displaying a device status indicator that indicates each remote device being activated." Thus, claim 27 is patentable for at least the above reasons. Claims 18-24 ultimately depend from claim 17 and claims 28-31, 33, and 34 ultimately depend from claim 27. Claims 25-26 depend from claim 1 and are patentable for at least the above reasons. The Applicant requests reconsideration of claims 17-31, 33, and 34.

Claims 32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,995,455 (Kutosky) in view of U.S. Patent No. 4,850,040 (Teich) in view of U.S. Patent No. 6,633,281 (Lin) and in further view of U.S. Patent No. 6,148,241 (Ladtke).

The Applicant is canceling claims 32 and 35 without prejudice.

Amendment filed June 27, 2005  
Response to OA mailed 03/29/05

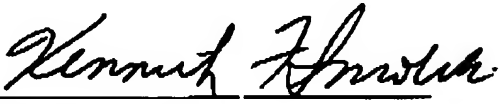
U.S.S.N. 10/782,093  
011398.00005

**CONCLUSION**

All objections and rejections have been addressed. Hence, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

Respectfully submitted,

Date: June 27, 2005

By:   
Kenneth F. Smolik  
Registration No. 44,344  
BANNER & WITCOFF, LTD.  
10 South Wacker Drive  
Suite 3000  
Chicago, Illinois 60606  
Telephone: 312-463-5000  
Facsimile: 312-463-5001